

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

M.D.; bnf STUKENBERG, <i>et al</i> ,	§
	§
Plaintiffs,	§
VS.	§ CIVIL ACTION NO. C-11-84
	§
RICK PERRY, <i>et al</i> ,	§
	§
Defendants.	§

ORDER

On May 26, 2011 the Court held an initial pretrial conference in the above-styled action. During the conference, the Court ORDERED as follows:

- (1) Plaintiffs' Motion for Class Certification (D.E. 15) is GRANTED. An opinion consistent with this Order will follow.
- (2) The Court recognizes that all individuals identified in the Complaint as next friends are qualified to serve in that capacity for the named Plaintiff they represent, absent evidence to the contrary. Specifically, the Court recognizes the following next friends:
 - a. Sarah R. Stukenberg shall serve as next friend for M.D.;
 - b. Nancy G. Pofahl shall serve as next friend for D.I.;
 - c. Carla B. Morrison shall serve as next friend for Z.H.;
 - d. Javier E. Solis shall serve as next friend for S.A.;
 - e. Jennifer Talley shall serve as next friend for A.M.;
 - f. Anna J. Ricker shall serve as next friend for J.S.;
 - g. John W. Cliff, Jr. shall serve as next friend for K.E.;
 - h. Karen J. Langsley shall serve as next friend for D.P.;

i. Paul Swacina shall serve as next friend for T.C.

(3) Defendants may depose next friends Jennifer Talley and John W. Cliff to determine if a contest to their qualifications to serve as next friends is warranted.

(4) No later than June 17, 2011, Defendants shall provide to Plaintiffs identifying information for the approximately 12,000 children presently in the Permanent Managing Conservatorship of the Texas Department of Family and Protective Services.

(5) After Plaintiffs determine and apply their expert's methodology to this information in order to obtain a representative sample of 500 case files, Plaintiffs shall provide Defendants with the name of their expert and his methodology. Within three months of receiving this information, Defendant may detail any challenge to this representative sample by production of their own methodology and expert.

SIGNED and ORDERED this 31st day of May, 2011.



Janis Graham Jack
United States District Judge